



Federal Register

7-14-08

Vol. 73 No. 135

Monday

July 14, 2008

Pages 40167-40452



The **FEDERAL REGISTER** (ISSN 0097-6326) is published daily, Monday through Friday, except official holidays, by the Office of the Federal Register, National Archives and Records Administration, Washington, DC 20408, under the Federal Register Act (44 U.S.C. Ch. 15) and the regulations of the Administrative Committee of the Federal Register (1 CFR Ch. I). The Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402 is the exclusive distributor of the official edition. Periodicals postage is paid at Washington, DC.

The **FEDERAL REGISTER** provides a uniform system for making available to the public regulations and legal notices issued by Federal agencies. These include Presidential proclamations and Executive Orders, Federal agency documents having general applicability and legal effect, documents required to be published by act of Congress, and other Federal agency documents of public interest.

Documents are on file for public inspection in the Office of the Federal Register the day before they are published, unless the issuing agency requests earlier filing. For a list of documents currently on file for public inspection, see www.federalregister.gov.

The seal of the National Archives and Records Administration authenticates the **Federal Register** as the official serial publication established under the Federal Register Act. Under 44 U.S.C. 1507, the contents of the **Federal Register** shall be judicially noticed.

The **Federal Register** is published in paper and on 24x microfiche. It is also available online at no charge as one of the databases on GPO Access, a service of the U.S. Government Printing Office.

The online edition of the **Federal Register** www.gpoaccess.gov/nara, available through GPO Access, is issued under the authority of the Administrative Committee of the Federal Register as the official legal equivalent of the paper and microfiche editions (44 U.S.C. 4101 and 1 CFR 5.10). It is updated by 6 a.m. each day the **Federal Register** is published and includes both text and graphics from Volume 59, Number 1 (January 2, 1994) forward.

For more information about GPO Access, contact the GPO Access User Support Team, call toll free 1-888-293-6498; DC area 202-512-1530; fax at 202-512-1262; or via e-mail at gpoaccess@gpo.gov. The Support Team is available between 7:00 a.m. and 9:00 p.m. Eastern Time, Monday–Friday, except official holidays.

The annual subscription price for the **Federal Register** paper edition is \$749 plus postage, or \$808, plus postage, for a combined **Federal Register**, **Federal Register** Index and List of CFR Sections Affected (LSA) subscription; the microfiche edition of the **Federal Register** including the **Federal Register** Index and LSA is \$165, plus postage. Six month subscriptions are available for one-half the annual rate. The prevailing postal rates will be applied to orders according to the delivery method requested. The price of a single copy of the daily **Federal Register**, including postage, is based on the number of pages: \$11 for an issue containing less than 200 pages; \$22 for an issue containing 200 to 400 pages; and \$33 for an issue containing more than 400 pages. Single issues of the microfiche edition may be purchased for \$3 per copy, including postage. Remit check or money order, made payable to the Superintendent of Documents, or charge to your GPO Deposit Account, VISA, MasterCard, American Express, or Discover. Mail to: U.S. Government Printing Office—New Orders, P.O. Box 979050, St. Louis, MO 63197-9000; or call toll free 1-866-512-1800, DC area 202-512-1800; or go to the U.S. Government Online Bookstore site, see bookstore.gpo.gov.

There are no restrictions on the republication of material appearing in the **Federal Register**.

How To Cite This Publication: Use the volume number and the page number. Example: 73 FR 12345.

Postmaster: Send address changes to the Superintendent of Documents, Federal Register, U.S. Government Printing Office, Washington, DC 20402, along with the entire mailing label from the last issue received.

SUBSCRIPTIONS AND COPIES

PUBLIC

Subscriptions:

Paper or fiche 202-512-1800
Assistance with public subscriptions 202-512-1806

General online information 202-512-1530; 1-888-293-6498

Single copies/back copies:

Paper or fiche 202-512-1800
Assistance with public single copies 1-866-512-1800
(Toll-Free)

FEDERAL AGENCIES

Subscriptions:

Paper or fiche 202-741-6005
Assistance with Federal agency subscriptions 202-741-6005

FEDERAL REGISTER WORKSHOP

THE FEDERAL REGISTER: WHAT IT IS AND HOW TO USE IT

FOR: Any person who uses the Federal Register and Code of Federal Regulations.

WHO: Sponsored by the Office of the Federal Register.

WHAT: Free public briefings (approximately 3 hours) to present:

1. The regulatory process, with a focus on the Federal Register system and the public's role in the development of regulations.
2. The relationship between the Federal Register and Code of Federal Regulations.
3. The important elements of typical Federal Register documents.
4. An introduction to the finding aids of the FR/CFR system.

WHY: To provide the public with access to information necessary to research Federal agency regulations which directly affect them. There will be no discussion of specific agency regulations.

WHEN: Tuesday, August 12, 2008
9:00 a.m.–12:30 p.m.

WHERE: Office of the Federal Register
Conference Room, Suite 700
800 North Capitol Street, NW.
Washington, DC 20002

RESERVATIONS: (202) 741-6008



Contents

Federal Register

Vol. 73, No. 135

Monday, July 14, 2008

Agricultural Marketing Service

PROPOSED RULES

National Organic Program:

- Proposed Amendment to the National List of Allowed and Prohibited Substances (Livestock), 40197–40201
- Sunset Review, 40194–40197

Agriculture Department

See Agricultural Marketing Service

See Commodity Credit Corporation

See Forest Service

See Natural Resources Conservation Service

See Rural Utilities Service

Alcohol, Tobacco, Firearms, and Explosives Bureau

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 40376–40378

Army Department

NOTICES

Privacy Act; Systems of Records, 40309–40310

Centers for Disease Control and Prevention

NOTICES

Meetings:

- Advisory Committee for Injury Prevention and Control, 40352–40353
- Advisory Committee to the Director; Teleconference, 40353
- Disease, Disability, and Injury Prevention and Control Special Emphasis Panel, 40353

Commerce Department

See International Trade Administration

See National Oceanic and Atmospheric Administration

Commodity Credit Corporation

NOTICES

Payment Limitation and Payment Eligibility, 40283

Commodity Futures Trading Commission

NOTICES

Meetings:

- Agricultural Advisory Committee, 40302–40303

Copyright Office, Library of Congress

PROPOSED RULES

Retransmission of Digital Broadcast Signals Pursuant to the Cable Statutory License, 40203

NOTICES

Intent to Audit, 40392

Defense Department

See Army Department

See Navy Department

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 40303

Meetings:

- Board of Actuaries, 40303–40304
- Board of Regents of the Uniformed Services University of the Health Sciences, 40304

Privacy Act; Systems of Records, 40304–40308

Drug Enforcement Administration

PROPOSED RULES

Electronic Prescriptions for Controlled Substances; Correction, 40451

NOTICES

Denial of Application:

Randall Relyea, D.O., 40378–40380

Revocation of Registration:

Armando B. Figueroa, M.D., 40380–40382

Michael Chait, M.D., 40382–40383

Election Assistance Commission

NOTICES

State Plan Pursuant to the Help America Vote Act, 40311–40332

Employee Benefits Security Administration

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 40384

Employment and Training Administration

NOTICES

Amended Notice of Revised Determination on Reconsideration:

Bolton Metal Products Co., 40385

Eligibility to Apply for Worker Adjustment Assistance and Alternative Trade Adjustment Assistance:

Amended Certification; Amphenol-TCS, et al., Nashua, NH, 40386–40387

Amended Certification; Filtronic COMTEK, INC. et al., 40385

Amended Certification; Megtec Systems, Inc., et al., 40386

Amended Certification; TRIMTEX CO., INC., Williamsport, PA, et al., 40386

Amended Certification; Tyco Electronics et al., 40385–40386

Determinations, 40387–40389

Investigations:

Certifications of Eligibility to Apply for Worker Adjustment Assistance and Alternative Trade Adjustment Assistance, 40389–40390

Negative Determination Regarding Application for Reconsideration:

Western Union Financial Services, Inc., Bridgeton, MO, 40390–40391

Solicitation for Grant Applications:

Technology-Based Learning Initiative, 40391

Termination of Investigation:

Art Guild of Philadelphia, Inc., Eastern Display Div., Providence, RI, 40391

MEDTRONIC Vascular, Danvers, MA, 40391

Varian Semiconductor Equipment, Gloucester, MA, 40391–40392

Energy Department

See Federal Energy Regulatory Commission

Environmental Protection Agency**PROPOSED RULES**

Approval and Promulgation of Air Quality Implementation Plans:

- Delaware; Control of Stationary Combustion Turbine Electric Generating Unit Emissions, 40228–40230
- Texas, 40203–40228

Consumer and Commercial Products:

- Control Techniques Guidelines in Lieu of Regulations for Miscellaneous Metal Products Coatings, Plastic Parts Coatings, etc., 40230–40263

Final Authorization of State Hazardous Waste Management Program Revision:

- Minnesota, 40263–40266

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 40336–40338

Final National Pollutant Discharge Elimination System (NPDES) General Permit for Stormwater Discharges from Construction Activities, 40338–40343

Federal Aviation Administration**RULES**

Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments, 40167–40169

Standard Instrument Approach Procedures, Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments, 40169–40171

NOTICES

Airport Rates and Charges, 40430–40445

Approval of Noise Compatibility Programs:

- Burlington International Airport, South Burlington VT, 40445–40446

Meetings:

- Proposed Modification of the Cleveland, OH Class B Airspace Area, 40446–40447

Federal Communications Commission**RULES**

Creation of Low Power Radio Service, 40186

Rules and Regulations Implementing the 1991 Telephone Consumer Protection Act, 40183–40186

PROPOSED RULES

Comments on New 800 MHz Band Plan for Puerto Rico, 40274–40276

Service Rules for Advanced Wireless Services in 1915-1920 MHz Bands, 40271–40272

Television Broadcasting Services:

- Castle Rock, CO, 40273
- Shreveport, LA, 40273–40274
- South Bend, IN, 40272–40273

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 40343–40348

Meetings:

- En Banc Hearing and Conference on Overcoming Barriers to Communications Financing, 40348

Petitions for Reconsideration and Clarification of Action in Rulemaking Proceeding, 40348

Federal Emergency Management Agency**RULES**

Changes in Flood Elevation Determinations, 40180–40183

PROPOSED RULES

Proposed Flood Elevation Determinations, 40266–40271

NOTICES

Disaster Declarations:

- California, 40355

Illinois, 40355–40356

Iowa, 40356

Kentucky, 40356

Minnesota, 40356–40357

Nebraska, 40357

Wisconsin, 40357

Federal Energy Regulatory Commission**NOTICES**

Applications:

- Kern River Gas Transmission Co., 40333–40334

Blanket Authorization:

- Escanaba Paper Co., 40334
- Grand Ridge Energy LLC, 40334
- Indeck-Yerkes Limited Partnership, 40334–40335
- Kinder Morgan Louisiana Pipeline LLC, 40335

Filings:

- Central Maine Power Co., 40335–40336
- Interstate Power and Light Co., 40336
- Shortened Comment Period; Energy Transfer Fuel, L.P., 40336

Federal Reserve System**NOTICES**

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 40349

Change in Bank Control Notices; Acquisition of Shares of Bank or Bank Holding Companies, 40349–40350

Formations of, Acquisitions by, and Mergers of Bank Holding Companies, 40350

Federal Trade Commission**NOTICES**

Proposal to Rescind FTC Guidance Concerning the Current Cigarette Test Method, 40350–40352

Fish and Wildlife Service**RULES**

Subsistence Management Regulations for Public Lands in Alaska, Subpart C and Subpart D-2008-09 Subsistence

Taking of Fish and Shellfish Regulations, 40179–40180

NOTICES

Availability and Receipt of Applications:

- Incidental Take Permit for Regency Centers Project; Highland, San Bernardino County, CA, 40359–40360

Comprehensive Conservation Plan and Environmental Assessment:

- Ellicott Slough National Wildlife Refuge, Santa Cruz County, CA, 40360–40361

Foreign Assets Control Office**NOTICES**

Additional Designation of Entities Pursuant to Executive Order, 40448–40449

Unblocking of Specially Designated National Pursuant To Executive Order 13315 (As Amended By Executive Order 13350), 40449–40450

Foreign Claims Settlement Commission**NOTICES**

Meetings; Sunshine Act, 40383

Forest Service**RULES**

Subsistence Management Regulations for Public Lands in Alaska, Subpart C and Subpart D-2008-09 Subsistence

Taking of Fish and Shellfish Regulations, 40179–40180

General Services Administration**NOTICES**

Federal Acquisition Regulation (FAR):
Agency Information Collection Activities; Proposals,
Submissions, and Approvals, 40303

Health and Human Services Department

See Centers for Disease Control and Prevention
See National Institutes of Health

Homeland Security Department

See Federal Emergency Management Agency
See U.S. Citizenship and Immigration Services

Housing and Urban Development Department**NOTICES**

Agency Information Collection Activities; Proposals,
Submissions, and Approvals, 40359

Interior Department

See Fish and Wildlife Service
See Land Management Bureau
See National Park Service

Internal Revenue Service**RULES**

Grantor Retained Interest Trusts (Application of Sections
2036 and 2039), 40173–40179
REMIC Residual Interests—Accounting for REMIC Net
Income (Including Any Excess Inclusions) (Foreign
Holders), 40171–40173

International Trade Administration**NOTICES**

Antidumping Duty:
Folding Metal Tables and Chairs from the Peoples
Republic of China, 40285–40293
Magnesium Metal from the Peoples Republic of China,
40293–40295
Tissue Paper Products from the Peoples Republic of
China, 40295
Countervailing Duty:
Hot-Rolled Carbon Steel Flat Products from India, 40295–
40299

Justice Department

See Alcohol, Tobacco, Firearms, and Explosives Bureau
See Drug Enforcement Administration
See Foreign Claims Settlement Commission

NOTICES

Agency Information Collection Activities; Proposals,
Submissions, and Approvals, 40374–40376

Labor Department

See Employee Benefits Security Administration
See Employment and Training Administration

Land Management Bureau**NOTICES**

Environmental Impact Statement; Intent, etc.:
China Mountain Wind Project, 40361–40362
Filing of Plats of Survey:
Nevada, 40362

Library of Congress

See Copyright Office, Library of Congress

National Aeronautics and Space Administration**NOTICES**

Federal Acquisition Regulation (FAR):
Agency Information Collection Activities; Proposals,
Submissions, and Approvals, 40303

National Highway Traffic Safety Administration**PROPOSED RULES**

Preliminary Theft Data; Motor Vehicle Theft Prevention
Standard, 40276–40282

NOTICES

Petition for Exemption From the Vehicle Theft Prevention
Standard:
Mazda, 40447–40448

National Institutes of Health**NOTICES**

Agency Information Collection Activities; Proposals,
Submissions, and Approvals, 40354–40355
Meetings:
National Institute of Diabetes and Digestive and Kidney
Diseases, 40355

National Oceanic and Atmospheric Administration**RULES**

Fisheries of the Exclusive Economic Zone Off Alaska:
Greenland Turbot in the Bering Sea and Aleutian Islands
Management Area, 40193
Fisheries of the Northeastern United States; Northeast
Multispecies Fishery:
Allowance of New Gear (Haddock Rope Trawl,
Previously Referred to as the Eliminator Trawl) in
Specific Special Management Programs, 40186–40192

NOTICES

Availability of Draft Stock Assessment Reports, 40299–
40300
Draft of the Education Strategic Plan:
Engaging Educators, Students and the Public to meet
NOAA's Mission Goals; Availability and Request for
Comments, 40300–40301
Meetings:
Atlantic Highly Migratory Species; Caribbean
Management Measures, 40301–40302
North Pacific Fishery Management Council, 40302

National Park Service**NOTICES**

Intent to Repatriate Cultural Items:
American Museum of Natural History, New York, NY,
40362
Rochester Museum & Science Center, Rochester, NY,
40363
Seton Hall University Museum, Seton Hall University,
South Orange, NJ; Correction, 40363
University of Alaska Museum, Fairbanks, AK, 40363–
40364
Inventory Completion:
U.S. Department of Homeland Security, U.S. Coast Guard
Headquarters Washington, DC, and University of
Hawaii at Hilo, Hilo, HI, 40364–40365
Inventory Completions:
Effigy Mounds National Monument, Harpers Ferry, IA,
40365–40366
Rochester Museum & Science Center, Rochester, NY,
40366–40370
U.S. Department of the Interior, U.S. Fish and Wildlife
Service, Region 7, Anchorage, AK, 40370–40373

Meetings:

Native American Graves Protection and Repatriation
Review Committee, 40373

National Register of Historic Places; Notification of Pending
Nominations and Related Actions, 40373–40374

National Science Foundation**NOTICES**

Permit Application Received Under the Antarctic
Conservation Act (1978), 40392–40393

Permit Applications Received under the 1978 Antarctic
Conservation Act, 40393

Natural Resources Conservation Service**NOTICES**

Proposed Changes to the Natural Resources Conservation
Service National Handbook of Conservation Practices,
40283–40285

Navy Department**NOTICES**

Availability of Government-Owned Inventions for
Licensing, 40310–40311

Meetings:

Ocean Research and Resources Advisory Panel, 40311

Nuclear Regulatory Commission**NOTICES**

Agency Information Collection Activities; Proposals,
Submissions, and Approvals, 40393–40394

Establishment of Atomic Safety and Licensing Board:
Duke Energy Carolinas, LLC, 40394

Facility Operating Licenses, etc.:

Southern Nuclear Operating Co, Inc. et al., 40394–40399

Rural Utilities Service**NOTICES**

Environmental Impact Statements; Availability, etc.:
Brazos Electric Power Cooperative, Inc., 40285

Securities and Exchange Commission**PROPOSED RULES**

Amendment to Regulation SHO, 40201–40203

NOTICES

Agency Information Collection Activities; Proposals,
Submissions, and Approvals, 40399–40400

Self-Regulatory Organizations; Proposed Rule Changes:
Boston Stock Exchange, Inc., 40400–40403

Financial Industry Regulatory Authority, Inc., 40403–
40409

NASDAQ Stock Market LLC, 40410–40411

National Stock Exchange, Inc., 40411–40412

New York Stock Exchange LLC, 40413–40415

NYSE Arca, Inc., 40415–40418

Public Company Accounting Oversight Board, 40418–
40426

Small Business Administration**NOTICES**

Disaster Declarations:

Illinois, 40426–40427

Iowa, 40427

Kentucky, 40427–40428

Minnesota, 40428

Missouri, 40428

Nebraska, 40428–40429

Wisconsin, 40429

State Department**NOTICES**

Culturally Significant Objects Imported for Exhibition
Determinations; Correction:

“Projects 88: Lucy McKenzie”, 40429

“The Dead Sea Scrolls”, 40430

Transportation Department

See Federal Aviation Administration

See National Highway Traffic Safety Administration

Treasury Department

See Foreign Assets Control Office

See Internal Revenue Service

U.S. Citizenship and Immigration Services**NOTICES**

Agency Information Collection Activities; Proposals,
Submissions, and Approvals, 40357–40359

Reader Aids

Consult the Reader Aids section at the end of this issue for
phone numbers, online resources, finding aids, reminders,
and notice of recently enacted public laws.

To subscribe to the Federal Register Table of Contents
LISTSERV electronic mailing list, go to <http://listserv.access.gpo.gov> and select Online mailing list
archives, FEDREGTOC-L, Join or leave the list (or change
settings); then follow the instructions.

CFR PARTS AFFECTED IN THIS ISSUE

A cumulative list of the parts affected this month can be found in the Reader Aids section at the end of this issue.

7 CFR**Proposed Rules:**

205 (2 documents)40194,
40197

14 CFR

97 (2 documents)40167,
40169

17 CFR**Proposed Rules:**

24240201

21 CFR**Proposed Rules:**

130040451
130440451
130640451
131140451

26 CFR

140171
2040173

36 CFR

24240179

37 CFR**Proposed Rules:**

20140203

40 CFR**Proposed Rules:**

52 (2 documents)40203,
40228
5940230
27140263

44 CFR

6540180

Proposed Rules:

6740266

47 CFR

6440183
7340186

Proposed Rules:

2740271
73 (3 documents)40272,
40273
7440271
7840271
9040274
10140271

49 CFR**Proposed Rules:**

54140276

50 CFR

10040179
64840186
67940193